

## **REMARKS/ARGUMENTS**

### **1. Summary of the Office Action**

Claims 1-2, 4-12, 14 and 19-21 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,606,606 (hereinafter Starr).

Claims 3, 13 and 17 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Starr in view of the article "Multex Launches Research-On-Demand", Information Today; v15, n4, p28, April 1998; extracted on Internet from Dialog on Internet on 8/24/2004 (hereinafter Multex).

Claims 15 and 18 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Starr in view of U.S. Patent No. 5,136,501 (hereinafter Silverman).

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Starr in view of Multex and further in view of U.S. Patent No. 6,039,244 (hereinafter Finsterwald).

### **2. Response to 35 U.S.C. § 102 Rejections**

In response to the above Office Action, the Applicants have amended the claims and respectfully request reconsideration thereof. In particular, claim 1 has been amended to include the features of dependent claims 6-8 and claim 20 has been amended for clarity. Therefore, no new matter has been added.

To anticipate a claim, the reference must teach every element of the claim. *"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."* *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicants contend that each and every element of the present claim is simply not found in Starr. Starr teaches a method and system for performing an integrated financial transaction. However, Starr

fails to teach or suggest the presently claimed feature of “the system administration module defining at least three levels of access security including a first access level enabling public access to public industry data without system registration, a second access level enabling the user access to specific industry data only after system registration and a third level of access security enabling the user to access and manipulate a customer's industry data after the customer grants access approval to the user upon completion of at least one transaction” (Claim 1). Indeed, nowhere in Starr is there any mention of providing public access, specific industry data access and a access and manipulation of a customer’s industry data by a user approval in a separate transaction step. At best, Starr only teaches different classes of access (Starr, Col. 7, line 22), such as a payroll person may be allowed to engage a payroll service, but may be prevented from accessing the CMA account for general check writing privileges (Starr, Col.7, lines 29-39, Figure 4). Clearly, Starr is only concerned with the type of function which a user can perform, which is significantly different from the present invention. Therefore, Starr fails to anticipate the present claims.

### **3. Response to 35 U.S.C. § 103 Rejections**

Claims 3, 13 and 17 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Starr in view of Multex. However, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references, when combined, must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant’s disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As established above, Starr fails to teach each and every element of the present claim. Even the additional teachings of Multex fail to rectify the deficiencies. Multex presents a research-on-demand database. However, like Starr, Multex fails to teach the presently claimed feature of providing different levels of access security, such as public access, specific industry

data access and rights to access and manipulate of a customer's industry data (Claim 1). This alone is sufficient for the present claims to be patentable over Multex.

The Office Action further rejects claims 15 and 18 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Starr in view of Silverman and claim 16 over Starr in view of Multex and further in view of Finsterwald.

The additional references, like Starr and Multex, do not teach the presently claimed feature of providing three levels of access security that include public access, specific industry data access and rights to access and manipulate of a customer's industry data (Claim 1). Silverman presents a matching system for trading instruments in which bids are automatically matched against offers where the trading is subject to real time credit controls to anonymously block or inhibit the completion of prohibited transaction (Silverman, Abstract). However, nowhere is there any mention of providing a user with different types of information access. Similarly, Finsterwald only teaches a method of building up a data bank containing customer data for the organization of a rebate or coupon system.

The cited references clearly fail to teach or even suggest each and every element of the present claims. Consequently, the present claims are patentable over the cited references.

4. **Conclusion**

Having tendered the above remarks and amended the claims as indicated herein, the Applicants respectfully submit that all rejections have been addressed and that the claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Jaina Chua at (408) 947-8200.

Respectfully submitted,

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